

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**TASHA RHYMES;
AQUANTIS WILLIAMS;
AMIR ZIYAD;
SHALALA JOHNSON;
SHANEKA BRITEILI PRITCHETT;
ABDELRAHMAN ELSAYED;
PATRICK RHYMES;
TERRELL SAMUELS;
RASHAAD CRUM;
STACEY LATIMORE**

CIVIL ACTION FILE NO.

PLAINTIFFS,

v.

ASDEN (US) INC.,

DEFENDANT.

NOTICE OF REMOVAL

COMES NOW ASDEN (US) INC., Defendant in the above-styled civil action, and within the time prescribed by law, files this Notice of Removal, by and through undersigned counsel, pursuant to 28 U.S.C. §§ 1332(a) and 1441(b), and respectfully shows the Court the following facts:

1.

Plaintiffs filed a Complaint for Damages against Asden on January 17, 2023, in the Superior Court of Fulton County, Civil Action Number 2023CV375101. Plaintiffs bring five claims related to a fire that destroyed their apartments against Defendant: negligence per se, negligence, nuisance, punitive damages, and attorney's fees and expenses.

2.

Asden is a Delaware corporation with its principal place of business at 2431 Atlantic Avenue, Suite 1, Manasquan, New Jersey 08736. Asden is not a citizen of the State of Georgia as contemplated under 28 U.S.C. § 1332(c).

3.

Plaintiffs are individuals domiciled in the State of Georgia.

4.

This Court has original jurisdiction over this action under 28 U.S.C. § 1332, and it can be removed to this Court by Asden pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action in which the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and is between citizens of different states.

5.

Asden shows that it was served with process on February 14, 2023. Asden further shows this Notice of Removal is filed within thirty (30) days from the date it was served with process. Therefore, this removal is timely under 28 U.S.C. § 1446(b).

6.

Asden attaches hereto copies of all summonses, process, pleadings, and orders served upon it in this case as Exhibit “A”.

7.

After filing this Notice of Removal, Asden will promptly serve written notice of this Notice of Removal on counsel for Plaintiffs and file the same with the Clerk of the Superior Court of Fulton County, a copy of said Notice being marked as Exhibit “B” in accordance with 28 U.S.C. § 1446(d).

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WHEREFORE, Asden prays the case be removed to the United States District Court for the Northern District of Georgia, Atlanta Division.

Dated this 16th day of March 2023.

SWIFT, CURRIE, McGHEE & HIERS, LLP

By: /s/ Joshua J. Smith
Lee Clayton
Georgia Bar No. 601004
Joshua J. Smith
Georgia Bar No. 562327
Attorney for Defendant Asden (US) Inc.

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Atlanta, Georgia 30309-3231
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7.1 CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1D of the Northern District of Georgia, I hereby certify that this document was prepared in Times New Roman font, 14 point, pursuant to L.R. 5.1(C).

Dated this 16th day of March 2023.

SWIFT, CURRIE, McGHEE & HIERS, LLP

By: /s/ Joshua J. Smith
Lee Clayton
Georgia Bar No. 601004
Joshua J. Smith
Georgia Bar No. 562327
Attorney for Defendant Asden (US) Inc.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the within and foregoing **NOTICE OF REMOVAL** upon all parties to this matter by depositing a true copy of same via electronic mail and/or by U.S. Mail, proper postage prepaid, addressed to as follows:

Amadu Wiltshire
Law Office of Wiltshire LLC
1196 Ashborough Drive SE, Unit K
Marietta, Georgia 30067

Dated this 16th day of March 2023.

SWIFT, CURRIE, McGHEE & HIERS, LLP

By: /s/ Joshua J. Smith
Lee Clayton
Georgia Bar No. 601004
Joshua J. Smith
Georgia Bar No. 562327
Attorney for Defendant Asden (US) Inc.

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